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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/575,885	05/22/2000	Donald E. Crowe	Crowe 2-2-2	2754
46850	7590	12/29/2004	EXAMINER HOM, SHICK C	
STEVE MENDELSON MENDELSON & ASSOCIATES, P.C. 1515 MARKET STREET SUITE 715 PHILADELPHIA, PA 19102			ART UNIT 2666	

DATE MAILED: 12/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/575,885

Applicant(s)

CROWE ET AL.

Examiner

Shick C Hom

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 September 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6, 13-16 and 18-31 is/are pending in the application.
- 4a) Of the above claim(s) 14 and 28 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-6, 19-27 is/are allowed.
- 6) ☒ Claim(s) 13, 15, 16, 18 and 29-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 9/1/04 have been fully considered but they are not persuasive.

In page 9 lines 11-39 applicant argued that Bossemeyer do not teach the access system not having dedicated port for the packet-mode CPE unit as in claim 13 and the access system dynamically allocates a port for the packet-mode CPE unit is not persuasive because col. 5 line 44 to col. 6 line 5; and Fig. 4 which show the data switch 72 switching voice telephone calls carried by the data network 40 enabling the voice telephone calls to access the PSTN clearly anticipate the port not being dedicated and being dynamically allocated as claimed.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the

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United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 13, 15-16, 18, and 29-31 are rejected under 35

U.S.C. 102(e) as being anticipated by Bossemeyer, Jr. et al.

(6,335,936).

Regarding claims 13, 29:

Bossemeyer, Jr. et al. disclose the method for processing signals in a multi-services access system for a telecommunication network (see col. 2 lines 44-53 which recite the wide area communication network for transmitting voice, data, facsimile, video and other data clearly anticipate the multi-services access system for a telecommunication network), comprising the steps of: (a) receiving packetized data signals and packetized derived voice signals from a packet-mode customer premises equipment (CPE) unit (see Fig. 3 and col. 4 lines 20-33 which recite the voice signal, data signal from the customer premises equipment); (b) determining whether each packet received from the packet-mode CPE unit is a data packet or a derived voice packet (see col. 4 lines 34-63 which recite means for separating voice signals from data signals clearly reads on means for determining whether packet is a data packet or a derived voice packet); (c) transmitting each data packet from the packet-mode CPE unit directly to a packets-switched network

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for packet-based switching (see Fig. 4 and col. 5 lines 22-43 which recite the packet-switched connections for carrying digital data traffic); and (d) converting each derived voice packet from the packet-mode CPE unit into a digital stream and transmitting the digital stream directly to a circuit-switched network for circuit-based switching (see col. 4 line 64 to col. 5 line 21 which recite converting voice data to digital packet stream, the derived voice lines, and col. 5 lines 44-56 which recite converting the voice telephone call in data network protocol into circuit-switched protocol), wherein: the access system enables the packet-mode CPE unit to transmit and receive packetized derived voice signals to and from the circuit-switched network without using any packet-switched network and without using any external gateway interconnecting the circuit-switched network and any packet-switched network (see col. 5 line 57 to col. 6 line 5 and col. 6 lines 41-54 which recite the direct interface with circuit-switches for voice signal without gateway interconnecting circuit-switched network and packet-switched network); and the access system does not have a dedicated port for the packet-mode CPE unit (see Figs 4-5 and col. 5 line 44 to col. 6 line 5 which recite the data switch for switching PSTN and data network data).

Regarding claim 15:

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Bossemeyer, Jr. et al. disclose wherein the access system dynamically allocates a port for the packet-mode CPE unit (see col. 5 line 44 to col. 6 line 5 which recite the data switch for Regarding claims 16 and 30:

Bossemeyer, Jr. et al. disclose the steps of: (e) receiving an incoming digital stream directly from the circuit-switched network; (f) converting the incoming digital stream into an outgoing packetized derived voice signal; and (g) transmitting the outgoing packetized derived voice signal to the packet-mode CPE unit (see col. 4 line 64 to col. 5 line 21 which recite converting voice data to digital packet stream, the derived voice lines, and col. 5 lines 44-56 which recite converting the voice telephone call in data network protocol into circuit-switched protocol and see Figs. 4-6).

Regarding claims 18 and 31:

Bossemeyer, Jr. et al. disclose wherein the multi-services access system is a multi-services digital loop carrier (DLC) system (see col. 4 lines 7-19 which recite the DLC system); and the packet-mode CPE unit is a DSL CPE unit (see col. 6 lines 20-29 which recite the DSL).

Allowable Subject Matter

4. Claims 1-6 and 19-27 are allowed.

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shick C Hom whose telephone number is 571-272-3173. The examiner can normally be reached on Monday to Friday with alternate Fridays off.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema Rao can be reached on 571-272-3174. The fax phone number for the

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organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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FEBRUARY 2010